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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 VAHN JALADIAN,

11 Plaintiff,

No. CIV S-04-1304 LKK CMK P

12 vs.

13 C.A. HUGHES, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On June 9, 2006, the magistrate judge filed findings and recommendations herein
20 which were served on all parties and which contained notice to all parties that any objections to
21 the findings and recommendations were to be filed within twenty days. Neither party has filed
22 objections to the findings and recommendations.

23 The court has reviewed the file and finds the findings and recommendations to be
24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
25 ORDERED that:

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1 1. The findings and recommendations filed June 9, 2006 are adopted in full;

2 2. Defendants' motion for summary judgment (doc. 32) is granted in part and
3 denied in part;

4 a. Defendants' motion for summary judgment regarding plaintiff's claim
5 that defendant Cribbs violated his Eighth Amendment rights on July 15, 2003 is denied;


6 b. Defendants' motion for summary judgment regarding plaintiff's claim
7 that defendants Hughes, Rodriguez, Butler, Chandler, Grannis and Brown violated his Eighth
8 Amendment rights on July 15, 2003 is granted;

9 c. Defendants' motion for summary judgment on plaintiff's claim that
10 defendants violated his Eighth Amendment rights on November 23, 2003 is granted;

11 d. Defendants' motion for summary judgment on plaintiff's retaliation
12 claim is granted; and

13 e. Defendants' motion for summary judgment on plaintiff's discrimination
14 claim under Title VII of the ADA is granted.

15 DATED: September 11, 2006.

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19 LAWRENCE K. KARLTON
20 SENIOR JUDGE
21 UNITED STATES DISTRICT COURT
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